

1 KAMALA D. HARRIS
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 KENT D. HARRIS
Deputy Attorney General
4 State Bar No. 144804
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-7859
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2012-116

12 **POONAM PRANITA CHANDAR**
1815 E Brandywine Lane
13 Fresno, CA 93720

A C C U S A T I O N

14 **Registered Nurse License No. 685645**
Public Health Nurse License No. 70729
15 **Nurse Practitioner License No. 19930**

16 Respondent.

17
18 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive
21 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about August 4, 2006, the Board issued Registered Nurse License Number
24 685645 to Poonam Pranita Chandar ("Respondent"). The license was in full force and effect at
25 all times relevant to the charges brought herein and will expire on February 29, 2012, unless
26 renewed.

27 ///

28 ///

1 **Public Health Nurse License**

2 3. On or about September 18, 2006, the Board issued Public Health Nurse License
3 Number 70729 to Respondent. The license was in full force and effect at all times relevant to the
4 charges brought herein and will expire on February 29, 2012, unless renewed.

5 **Nurse Practitioner License**

6 4. On or about July 8, 2010, the Board issued Nurse Practitioner License Number 19930
7 to Respondent. The license was in full force and effect at all times relevant to the charges
8 brought herein and will expire on February 29, 2012, unless renewed.

9 **JURISDICTION**

10 5. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
11 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
12 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
13 Practice Act.

14 6. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
15 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
16 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board
17 may renew an expired license at any time within eight years after the expiration.

18 **STATUTORY PROVISIONS**

19 7. Code section 2761 states, in pertinent part:

20 The board may take disciplinary action against a certified or licensed nurse or
21 deny an application for a certificate or license for any of the following:

22 (a) Unprofessional conduct.

23 (f) Conviction of a felony or of any offense substantially related to the
24 qualifications, functions, and duties of a registered nurse, in which event the record of
25 the conviction shall be conclusive evidence thereof.

26 8. Code section 2762 states, in pertinent part:

27 In addition to other acts constituting unprofessional conduct within the
28 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a
 person licensed under this chapter to do the following:

///

1 (b) Use any controlled substance as defined in Division 10 (commencing
2 with Section 11000) of the Health and Safety Code, or any dangerous drug or
3 dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or
4 in a manner dangerous or injurious to himself or herself, any other person, or the
5 public or to the extent that such use impairs his or her ability to conduct with safety to
6 the public the practice authorized by his or her license.

7 (c) Be convicted of a criminal offense involving the prescription,
8 consumption, or self-administration of any of the substances described in
9 subdivisions (a) and (b) of this section, or the possession of, or falsification of a
10 record pertaining to, the substances described in subdivision (a) of this section, in
11 which event the record of the conviction is conclusive evidence thereof.

12 COST RECOVERY

13 9. Code section 125.3 provides, in pertinent part, that the Board may request the
14 administrative law judge to direct a licensee found to have committed a violation or violations of
15 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

17 FIRST CAUSE FOR DISCIPLINE

18 (Conviction of Crimes)

19 10. Respondent is subject to discipline under Code section 2761(f), in that she was
20 convicted of the following crimes that are substantially related to the qualifications, functions or
21 duties of a licensed registered nurse:

22 a. On or about September 15, 2010, in the case of *People v. Poonam Chandar aka*
23 *Poonam Pranita Chandar*, (Super. Ct. Fresno County, Case No. M10920167), Respondent was
24 convicted by the Court on her plea of guilty of violating Vehicle Code section 23152(b) (driving
25 with a blood alcohol level of .08% or higher) with a prior conviction of the same, as set forth
26 below in subsection (b). The circumstances of the crime was that on or about June 20, 2010,
27 Respondent drove a vehicle while having a blood alcohol level of 0.14%.

28 b. On or about January 5, 2009, in the case of *People v. Poonam Chandar*, (Super. Ct.
Fresno County, Case No. M08927723), Respondent was convicted by the Court on her plea of
guilty of violating Vehicle Code section 23152(b) (driving with a blood alcohol level of .08% or
higher). The circumstances of the crime was that on or about September 20, 2008, Respondent
drove a vehicle while having a blood alcohol level of 0.14%.

///

1

2

3

8

9

10

14

15

17

19

21

23

24

25

26

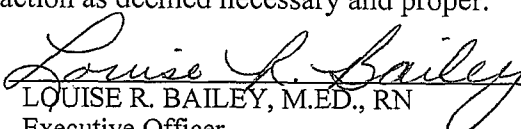
27

28

1 4. Ordering Poonam Pranita Chandar to pay the Board of Registered Nursing the
2 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
3 Professions Code section 125.3; and,

4 5. Taking such other and further action as deemed necessary and proper.

5 DATED: August 16, 2011


LOUISE R. BAILEY, M.E.D., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

9
10 SA2011100251
10720941.doc